

## REMARKS

The claims have been amended to address the 112 rejection, and also to better define the claimed invention and better distinguish the claimed invention from the prior art. More particularly, the claims have been amended to clarify that the invention relates to a chemical battery. Additionally, the claims have been amended to clarify that the "aluminum electrode" is an "aluminum plate". Additionally, new dependent claims 7 and 8 have been added to further scope the invention. No new matter has been entered by any of the foregoing Amendments.

The art rejection is respectfully traversed. In rejecting the claims as obvious from Nakahara in view of Nanjundiah, the Examiner acknowledges the primary reference Nakahara fails to teach a carbon layer being formed and integrated on aluminum. Applicants agree.

The secondary reference cannot reasonably said to supply the missing teachings to Nakahara. The electrode structure of Nanjundiah is for a capacitor. The structure for a battery and the structure for a capacitor differs according to each technical field, i.e., batteries being one technical field, capacitors being another technical field. Hence, no suggestion or motivation exists to combine Nanjundiah with Nakahara that discloses batteries.

In addition, an object of the present invention is to reduce Schottky-type internal resistance that is generated between a metal collector and a nitroxyl polymer (see lines 20 to 26 on page 1 of the specification). Neither Nanjundiah nor Nakahara teach or suggest this object. Nanjundiah simply discloses lowering the internal resistance of electrodes of double layer capacitors.

Furthermore, according to the present invention, the potential barrier between an organic compound (nitroxyl polymer) and a metal collector can be reduced, and hence the internal

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resistance of batteries can be lowered (see lines 15 to 20 on page 2, line 11 on page 31 to line 19 on page 33, and table 1 of the present invention). Nanjundiah and Nakahara do not teach this effect.

Thus, no suggestion or motivation exists to combine Nanjundiah with Nakahara. Therefore, the present invention cannot be easily achieved by a person skilled in the art based on the cited references.

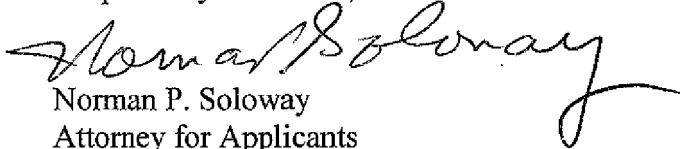
Thus, claim 1 cannot be said to be anticipated by Nakahara in view of Nanjundiah.

Claims 2-8 depend directly or indirectly on claim 1, and are allowable over the Nakahara/Nanjundiah combination for the same reasons above adduced relative to claim 1, as well as for their own additional limitations.

Having dealt with all the objections raised by the Examiner, the Application is believed to be in order for allowance. Early and favorable action is respectfully requested.

Fees in the amount of \$560.00 is being paid via EFS-WEB to cover the Petition for Two-Months Extension surcharge. In the event there are any fee deficiencies or additional fees are payable, please charge them (or credit any overpayment) to our Deposit Account Number 08-1391.

Respectfully submitted,



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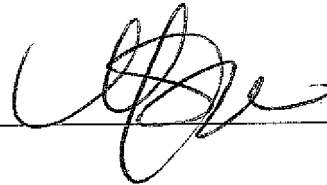
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By \_\_\_\_\_

A handwritten signature in black ink, appearing to be "C. Soloway", written over a horizontal line.

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